

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

JOSHUA HUMPHREY and
JEFF DAVIS,

Plaintiffs,

v.

No. 05-2398 B

CITY OF MEMPHIS and
ERIC RICHARDSON, individually,

Defendants.

ORDER TO SHOW CAUSE WHY MOTION OF DEFENDANT
CITY OF MEMPHIS TO DISMISS SHOULD NOT BE GRANTED

This lawsuit was initiated by the Plaintiffs, Joshua Humphrey and Jeff Davis, who are represented by counsel, on May 31, 2005. On July 13, 2005, the Defendant, City of Memphis, moved for dismissal pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. To date, no response has been filed on behalf of the Plaintiffs, even though the deadline for such response under the Local Rules of this district has passed. See LR7.2(a)(2) (responses to Rule 12(b) motions must be filed within 30 days of service of the motion).


Accordingly, as it appears to the Court that the Plaintiffs have chosen not to pursue their claim against this Defendant, they are hereby ORDERED, within fifteen (15) days of the entry hereof, to show cause why the motion to dismiss filed by the City of Memphis should not be granted. Failure of the Plaintiffs to respond in a timely manner to this order may result in the granting of the motion.

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 9-2-05

FILED BY [Signature] D.C.
05 SEP -1 PM 3:57
THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TN, MEMPHIS

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IT IS SO ORDERED this 1st day of September, 2005.



J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 8 in case 2:05-CV-02398 was distributed by fax, mail, or direct printing on September 2, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT